

CITY COUNCIL
ATLANTA, GEORGIA

04-0 -1944

AN ORDINANCE
BY: ZONING COMMITTEE

Z-04-54
Date Filed: 5-11-04

AN ORDINANCE CORRECTING ORDINANCE 04-O-1138 ADOPTED BY CITY COUNCIL SEPTEMBER 7, 2004, APPROVED BY THE MAYOR SEPTEMBER 15, 2004 REZONING PROPERTY LOCATED AT 972-980-990-1000-1022 MARIETTA STREET, N.W. FROM THE I-1-C (LIGHT INDUSTRIAL-CONDITIONAL) DISTRICT & I-2 (HEAVY INDUSTRIAL) DISTRICT TO THE LW (LIVE WORK) DISTRICT SO THAT THE ZONING ORDINANCE OF THE CITY OF ATLANTA BE AMENDED, AND THE MAPS ESTABLISHED IN CONNECTION THEREWITH BE CHANGED SO THAT ONLY PROPERTY LOCATED AT 972 MARIETTA STREET, N.W. BE CHANGED FROM THE I-2 (HEAVY INDUSTRIAL) DISTRICT, TO THE I-1 (LIGHT INDUSTRIAL) DISTRICT

WHEREAS, Z-04-54 WAS AMENDED BY THE APPLICANT TO ONLY REZONE 972 MARIETTA STREET, N.W. FROM I-2 (HEAVY INDUSTRIAL) DISTRICT TO I-1 (LIGHT INDUSTRIAL) DISTRICT AND ORDINANCE 04-O-1138 INCLUDED PROPERTIES THAT WERE NOT A PART OF THE AMENDED APPLICATION,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That Ordinance 04-O-1138 adopted by City Council September 7, 2004, approved by the Mayor September 15, 2004 rezoning property from the **I-1-C (Light Industrial-Conditional) District & I-2 (Heavy Industrial) District to the **LW (Live Work) District** be corrected so that the Zoning Ordinance of the city of Atlanta be amended, and the maps established in connection therewith be changed so that only property located at **972 Marietta Street, N.W.** be changed from the **I-2 (Heavy Industrial) District**, to the **I-1 (Light Industrial) District**, to wit:**

ALL THAT TRACT or parcel of land lying and being in Land Lot 112 of the 14th District, Fulton County, Georgia, being more particularly described by the attached legal description.

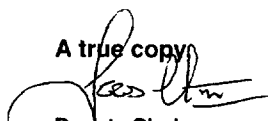
SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffice "C" after the district designation in Section 1 above, the



Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby waived.

A true copy

Deputy Clerk

ADOPTED by the City Council
APPROVED by the Mayor

NOV 15, 2004
NOV 19, 2004

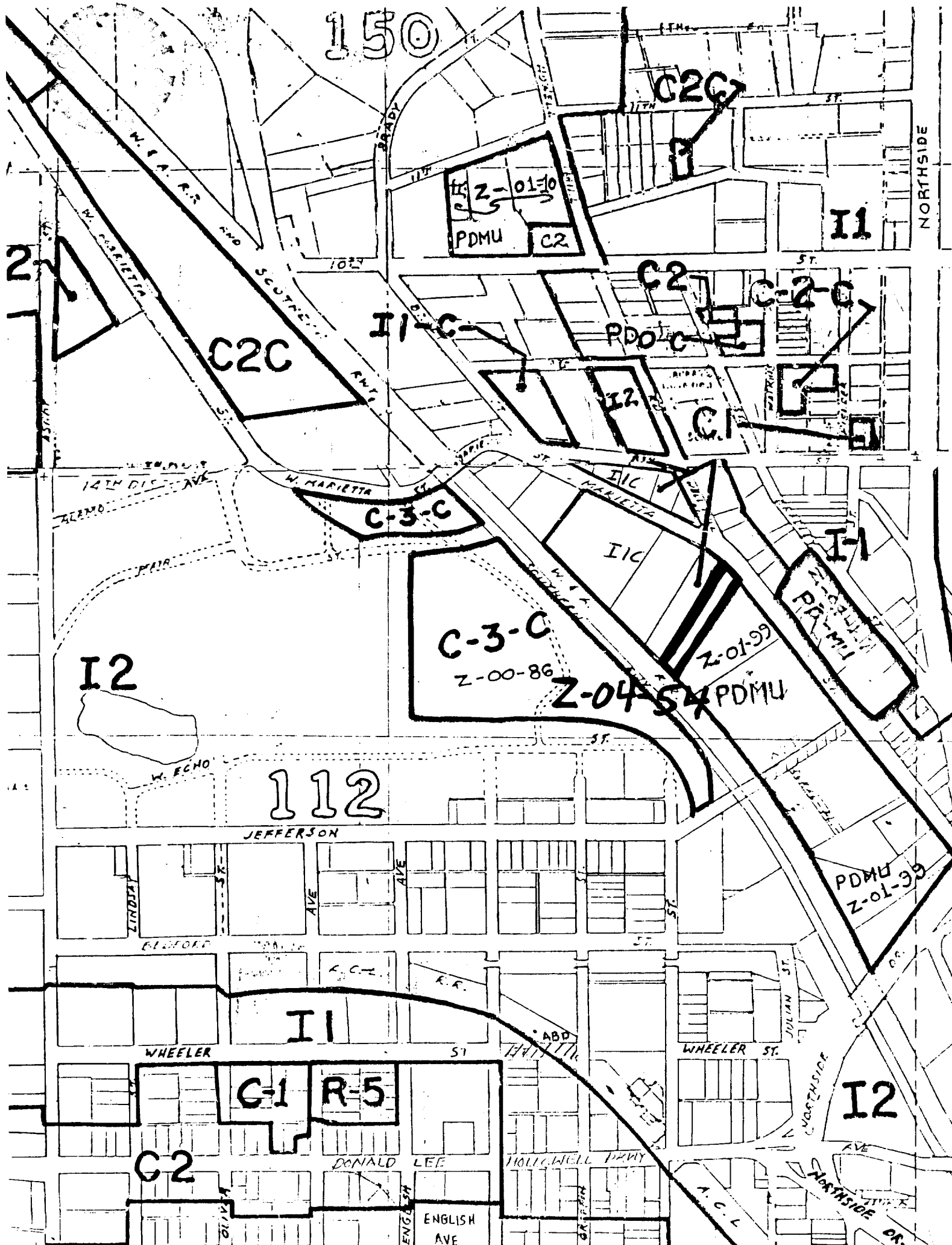
May 10, 2004

LEGAL DESCRIPTION – TRACT 4

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 112 OF THE 14th DISTRICT OF FULTON COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE NORTHERLY LINE OF LAND LOT 112 AND SOUTHERLY RIGHT-OF-WAY LINE OF MARIETTA STREET (60 FEET RIGHT-OF-WAY); THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE OF MARIETTA STREET THE FOLLOWING COURSES AND DISTANCES: SOUTH 66 DEGREES 48 MINUTES 42 SECONDS EAST A DISTANCE OF 235.50 FEET TO A ½" REBAR SET, SOUTH 66 DEGREES 48 MINUTES 42 SECONDS EAST A DISTANCE OF 300.00 FEET TO A POINT, SOUTH 66 DEGREES 48 MINUTES 42 SECONDS EAST A DISTANCE OF 49.92 FEET TO A POINT, ALONG A CURVE OF AN ARC TO THE RIGHT A DISTANCE OF 98.88 FEET (SAID ARC HAVING A RADIUS OF 507.75 FEET AND A CHORD BEARING SOUTH 61 DEGREES 44 MINUTES 35 SECONDS EAST AND A DISTANCE OF 98.72 FEET) TO A P.K. NAIL FOUND, ALONG A CURVE OF AN ARC TO THE RIGHT A DISTANCE OF 71.23 FEET (SAID ARC HAVING A RADIUS OF 519.02 FEET AND A CHORD BEARING SOUTH 52 DEGREES 59 MINUTES 07 SECONDS EAST AND A DISTANCE OF 71.18 FEET) TO A POINT (SAID POINT LOCATED 2.14 FEET NORTHWESTERLY FROM A ¾" OPEN TOP FOUND), SAID POINT BEING THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE OF MARIETTA STREET ALONG A CURVE OF AN ARC TO THE RIGHT A DISTANCE OF 80.81 FEET (SAID ARC HAVING A RADIUS OF 519.02 FEET AND A CHORD BEARING SOUTH 44 DEGREES 35 MINUTES 35 SECONDS EAST AND A DISTANCE OF 80.73 FEET) TO A POINT (SAID POINT LOCATED 0.24 FEET SOUTHEASTERLY FROM ¾" OPEN TOP FOUND); THENCE LEAVING SAID RIGHT-OF-WAY LINE OF MARIETTA STREET AND RUNNING ALONG SOUTHEASTERLY FACE OF A BRICK WALL SOUTH 32 DEGREES 20 MINUTES 43 SECONDS WEST A DISTANCE OF 397.23 FEET TO A ½" REBAR SET ON THE NORTHEASTERLY RIGHT-OF-WAY LINE OF WESTERN & ATLANTIC RAILROAD; THENCE ALONG SAID RIGHT-OF-WAY LINE OF WESTERN & ATLANTIC RAILROAD NORTH 45 DEGREES 13 MINUTES 16 SECONDS WEST A DISTANCE OF 76.81 FEET TO A POINT; THENCE LEAVING SAID RIGHT-OF-WAY LINE OF WESTERN & ATLANTIC RAILROAD AND RUNNING ALONG THE CENTERLINE OF A BRICK PARTY WALL THE FOLLOWING COURSES AND DISTANCES: NORTH 32 DEGREES 38 MINUTES 59 SECONDS EAST A DISTANCE OF 129.86 FEET, NORTH 32 DEGREES 25 MINUTES 23 SECONDS EAST A DISTANCE OF 173.54 FEET, NORTH 56 DEGREES 52 MINUTES 56 SECONDS WEST A DISTANCE OF 4.50 FEET AND NORTH 32 DEGREES 18 MINUTES 47 SECONDS EAST A DISTANCE OF 95.47 FEET TO THE POINT OF BEGINNING.

SAID TRACT OR PARCEL OF LAND CONTAINS 0.6903 ACRES OR 30,070 SQUARE FEET.



RCS# 6281
11/15/04
9:02 PM

Atlanta City Council

Regular Session

04-O-1944

CORRECTING 04-O-1138 TO CORRECT MAPS
CHANGING 972 MARIETTA ST FROM I-2 TO I-1
ADOPT

YEAS: 13
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 1

Y Smith	NV Archibong	Y Moore	B Mitchell
Y Starnes	Y Fauver	Y Martin	Y Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	Y Sheperd	NV Borders

04-O-1944

04-0-1944

(Do Not Write Above This Line)

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BY: ZONING COMMITTEE
Z-04-54

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04-0-1138 ADOPTED BY CITY COUNCIL
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CHANGED FROM THE I-2 (HEAVY INDUSTRIAL)
DISTRICT TO THE I-1 (LIGHT INDUSTRIAL)
DISTRICT.

NPUE COUNCIL DISTRICT 3

ADOPTED BY

NOV 15 2004

- ☒ CONSENT REFER COUNCIL
☒ REGULAR REPORT REFER
☐ ADVERTISE & REFER
☐ 1st ADOPT 2nd READ & REFER
☐ PERSONAL PAPER REFER

Date Referred 11-01-2004

Referred To: Zoning

Date Referred

Referred To:

Date Referred

Referred To:

First Reading
Committee Date 11-01-2004
Chair Referred To 11-01-2004

2nd Reading

Nov. 15, 2004

Chair

Action

Fav, Adv, Hold (see rev. side)

Other

Members

Refer To

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)

Other

Members

Refer To

Refer To

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)

Other

Members

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)

Other

Members

Refer To

Refer To

FINAL COUNCIL ACTION
☒ 2nd ☐ 1st & 2nd ☐ 3rd
Readings
☐ Consent ☐ V Vote ☒ RC Vote

CERTIFIED

NOV 15 2004

NOV 15 2004

MAYOR'S ACTION

NOV 19 2004